

10-09-01

A

Express Mail No. ET462152470US

Docket No. H0002349

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231**

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of
Inventor(s): Larry J. Miller

For (title): **BALANCED CLIENT/SERVER MECHANISM IN A TIME-PARTITIONED REAL-TIME
OPERATING SYSTEM**

CERTIFICATION UNDER 37 C.F.R. 1.10

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date October 4, 2001 in an envelope as "Express Mail Post Office to Addressee," mailing Label Number ET462152470US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Vincent B. Ingrassia, Reg. No. 25,732

(Signature)
Signature of person mailing paper

1. Type of Application

This new application is for a(n)

(check one applicable item below)

- ☒ Original (nonprovisional)
- ☐ Design
- ☐ Plant
- ☐ Divisional.
- ☐ Continuation.
- ☐ Continuation-in-part (C-I-P).

2. Benefit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120, or 121)

- ☐ The new application being transmitted claims the benefit of prior U.S. application(s).
Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE
BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

3. Papers Enclosed

A. Required for Filing Date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

12 Pages of Specification
5 Pages of Claims
4 Sheets of Drawings having 19 Figures
☒ Formal
☐ Informal

B. Other Papers Enclosed

1 Page of Abstract
____ Other

(complete the following, if applicable)

- ☐ The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO
ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. 1.84(b).

4. Additional Papers Enclosed

- ☐ Preliminary Amendment
☐ Information Disclosure Statement (37 C.F.R. 1.98)
☐ Form PTO-1449 (PTO/SB/08A and 08B)
☐ Citations
☐ Declaration of Biological Deposit
☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining
thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
☐ Special Comments
☒ Other: 1 Page of Application Data Sheet
☒ Other: 1 Return Postcard

5. Declaration or Oath

☒ Enclosed
Executed by

(check all applicable boxes)

- ☒ inventor(s).
☐ legal representative of inventor(s). 37 CFR 1.42 or 1.43.
☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.
☐ This is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached. See item 13 below for fee.

☐ Not Enclosed.

☐ Application is made by a person authorized under 37 C.F.R. 1.41(c) on behalf of all the above named inventor(s).

(The declaration or oath, along with the surcharge required by 37 CFR 1.16(e), can be filed subsequently).

☐ Showing that the filing is authorized.
(not required unless called into question. 37 CFR 1.41(d))

6. Inventorship Statement

The inventorship for all the claims in this application are:

☒ The same.

or

☐ Not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,

☐ is submitted.

☐ will be submitted.

7. Language

☒ English
☐ Non-English

☐ The attached translation includes a statement that the translation is accurate. 37 C.F.R. 1.52(d).

8. Assignment

☒ An assignment of the invention to Honeywell International Inc., a corporation organized and existing under and by virtue of the laws of the State of Delaware having a principal place of business at Morristown, New Jersey

☒ is attached. A separate ☐ "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or ☒ FORM PTO 1595 is also attached.

☐ will follow.

9. Certified Copy

Certified copy(ies) of application(s)

Country	Appln. no.	Filed
---------	------------	-------

from which priority is claimed

☐ is (are) attached.

☐ will follow.

10. Fee Calculation (37 C.F.R. 1.16)A. ☒ Regular application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 C.F.R. 1.16(a) \$710.
Total Claims (37 CFR 1.16(c))	35	- 20 = 15	x	\$18.00=\$270.00	
Independent Claims (37 CFR 1.16(b))	3	- 2 = 0	x	\$80.00=\$0.00	

- ☐ Amendment cancelling extra claims is enclosed.
☐ Amendment deleting multiple-dependencies is enclosed.
☐ Fee for extra claims is not being paid at this time.

NOTE: If the fees for extra claims are not paid on filing they must be paid or the claims cancelled by amendment, prior to the expiration of the time period set for response by the Patent and Trademark Office in any notice of fee deficiency. 37 CFR 1.16(d).

Filing Fee Calculation \$ 980.00B. ☐ Design application
(\$330.00—37 CFR 1.16(f))

Filing Fee Calculation \$ _____

C. ☐ Plant application
(\$540.00—37 CFR 1.16(g))

Filing Fee Calculation \$ _____

11. Small Entity Statement(s)

☐ Statement(s) that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is (are) attached.

(complete the following, if applicable)

☐ Status as a small entity was claimed in prior application _____/_____, filed on _____ from which benefit is being claimed for this application under:

35 U.S.C. § ☐ 119(e),
☐ 120,

☐ 121,
☐ 365(c),

and which status as a small entity is still proper and desired.

☐ A copy of the statement in the prior application is included.

Filing Fee Calculation (50% of A, B or C above) \$_____

12. Request for International-Type Search (37 C.F.R. 1.104(d))

(complete, if applicable)

☐ Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

13. Fee Payment Being Made at This Time

☐ Not Enclosed

☐ No filing fee is to be paid at this time.
(This and the surcharge required by 37 C.F.R. 1.16(e) can be paid subsequently.)

☒ Enclosed

☒ Filing fee \$ 980.00

☒ Recording assignment
(\$40.00; 37 C.F.R. 1.21(h))
(See attached "COVER SHEET FOR
ASSIGNMENT ACCOMPANYING NEW
APPLICATION.") \$ 40.00

☐ Petition fee for filing by other
than all the inventors or person
on behalf of the inventor where
inventor refused to sign or cannot
be reached
(\$130.00; 37 C.F.R. 1.47 and 1.17(i)) \$ _____

☐ For processing an application with a
specification in a non-English language
(\$130.00; 37 C.F.R. 1.52(d) and 1.17(k)) \$ _____

☐ Processing and retention fee
(\$130.00; 37 C.F.R. 1.53(d) and 1.21(l)) \$ _____

☐ Fee for international-type search report
(\$40.00; 37 C.F.R. 1.21(e))

\$ _____

NOTE: 37 CFR 1.21(l) establishes a fee for processing and retaining any application that is abandoned for failing to complete the application pursuant to 37 CFR 1.53(f) and this, as well as the changes to 37 CFR 1.53 and 1.78(a)(1), indicate that in order to obtain the benefit of a prior U.S. application, either the basic filing fee must be paid, or the processing and retention fee of § 1.21(l) must be paid, within 1 year from notification under § 53(f).

Total Fees Enclosed

\$ 1020.00

14. Method of Payment of Fees

☒ Check in the amount of \$ 1020.00.

☐ Charge Account No. _____ in the amount of \$ _____.
A duplicate of this transmittal is attached.

15. Authorization to Charge Additional Fees

☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 50-1097.

☒ 37 C.F.R. 1.16(a), (f) or (g) (filing fees)

☐ 37 C.F.R. 1.16(b), (c) and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 CFR 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

☐ 37 C.F.R. 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

☐ 37 CFR 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a)).

☐ 37 C.F.R. 1.17 (application processing fees)

NOTE: "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 CFR 1.136(a)(3).

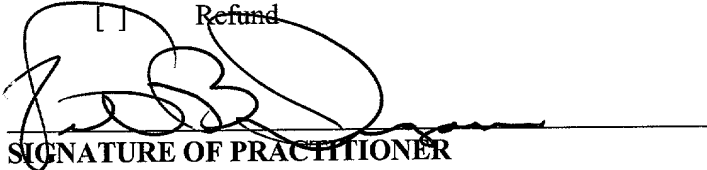
Express Mail No. ET462152470US

☐ 37 C.F.R. 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. 1.311(b))

16. Instructions as to Overpayment.

☒ Credit Account No. 50-1097.

☐ Refund



SIGNATURE OF PRACTITIONER

Date: 10/4/01

Vincent B. Ingrassia, Reg. No. 25,732
2625 S. Plaza Dr. Ste. 400
Tempe, AZ 85282
Customer No.: 29,906